

REMARKS/ARGUMENTS

**Claim 1 has been amended by incorporating therein the limitation of previously considered Claim 17. Thus, the amendment should be entered as it raises no new issues, and places this case in better condition for appeal.**

Regarding the rejection under 35 USC 112, the claims as presently drafted correctly describe the present invention wherein HCN generated in a heating furnace is caused to act on the surface of the metal member. As described in paragraph [0033] spanning specification pages 14-15, the mixed gas in the heating furnace forms HCN under the catalytic action of any of a metal inner wall of the furnace, a metal jig used for example to hold the metal member in the furnace, and the metal member itself. Even if the inner wall of the furnace is not made of metal, the invention can be practiced using the catalytic action of a metal-made jig and/or the metal member itself to form HCN. Paragraph [0033] is repeated below for the Examiner's convenience:

[0033] The present invention has such technical features and advantageous effects as described above. A description will hereinafter be made about certain preferred embodiments of the present invention. In the treatment furnace for use in the present invention, the inner wall can preferably be made of metal. Even if the inner wall is not made of metal, the present invention can still be practiced provided that the metal member to be treated acts as a catalyst for the formation of HCN or a jig adapted to hold the metal member within the furnace is made of metal. The metal that makes up the metal-made inner wall, metal member or jig may preferably contain, for example, one or more metals selected from Fe, Ni, Co, Cu, Cr, Mo, Nb, V, Ti and Zr.

In view of this explanatory paragraph, and others in the original specification, the Examiner's interpretation of the claims as including only one of a metal member, a metal-made inner wall, and a metal-made jig is incorrect as, in fact, all three may be present, if

Application No. 10/586,626  
Reply to Office Action of March 3, 2009

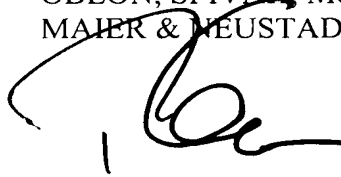
desired. In view of the fact that the present claims correspond with and are supported by the specification as originally filed, and are understandable within the context of the invention as a whole, the rejection presented under 35 USC 112 should be withdrawn.

With regard to the obviousness rejections over prior art, Applicants note that Claim 17 was not included in any obviousness rejection. Applicant has now incorporated the limitation of Claim 17 into Claim 1 herein, thus distinguishing the pending claims from the applied references.

Accordingly, and in view of the above amendment and remarks, and as this case is now in condition for allowance, Applicants respectfully request a Notice of Allowance and the passage of this case to Issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

Richard L. Treanor  
Attorney of Record  
Registration No. 36,379

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)